

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6667**

**BILL NUMBER: SB 215**

**NOTE PREPARED:** Dec 22, 2005

**BILL AMENDED:**

**SUBJECT:** Child in Need of Services; Grandparent Visitation.

**FIRST AUTHOR:** Sen. Broden

**BILL STATUS:** As Introduced

**FIRST SPONSOR:**

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** No Fiscal Impact

**Summary of Legislation:** This bill requires a grandparent seeking visitation rights to file a petition in a circuit, superior, or probate court. (Current law requires a grandparent to file in a circuit or superior court.) The bill specifies that a child is a child in need of services if the child's physical or mental condition is seriously impaired or endangered as a result of the inability, refusal, or neglect of the child's parent, guardian, or custodian to provide mental health care for the child.

**Effective Date:** July 1, 2006.

**Explanation of State Expenditures:** *Grandparent Visitation:* Under current law, a grandparent seeking visitation may file a petition in a circuit or superior court. This bill would add a probate court to the list of court locations where a grandparent visitation petition may be filed. St. Joseph County is the only county in the state in which a probate court is located. Petitions for grandparent visitation are currently filed at the St. Joseph probate court. There is no fiscal impact from the provision of this bill as a result.

*Physical and Mental Health Care:* This bill would amend current statute to specify that medical care means physical or mental health care when considering whether or not a child is a child in need of services (CHINS). The Department of Child Services (DCS) reports that this is current practice. Thus, no additional fiscal impact is anticipated.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Child Services.

**Local Agencies Affected:** Courts.

**Information Sources:** Department of Child Services.

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